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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,924	10/17/2003	John Galibraith	S-99,917	3788
35068	7590	10/12/2005	EXAMINER	
UNIVERSITY OF CALIFORNIA			MARC, MCDIEUNEL	
LOS ALAMOS NATIONAL LABORATORY				
P.O. BOX 1663, MS A187			ART UNIT	
LOS ALAMOS, NM 87545			PAPER NUMBER	
			3661	

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/689,924

Applicant(s)

GALIBRAITH, JOHN

Examiner

McDieunel Marc

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☒ Claim(s) 2 and 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1-4 are presented for examination.
2. The abstract of the disclosure is objected to because the word "invention" should not be use in the abstract. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by **Yagi et al. (*Map-Based Navigation for a Mobile Robot with Omnidirectional Image Sensor COPIS*, 1995)**

As per claims 1 and 3, Yagi et al. teaches " Map-Based Navigation for a Mobile Robot with Omnidirectional Image Sensor COPIS" a method for avoiding objects along a path programmed into a robot (see fig. 1) comprising the following steps in the order named: (a) establishing a field of view for an electronic imager of said robot along said path (see abstract, the TV camera being taken as the imager), (b) obtaining object location information in said field of view (see fig. 1), (c) deriving a population coded

control signal from said object location information (see page 642, col. 1, section c., wherein the real-time control being considered as coded control), and (d) transmitting said control signal to said robot, thereby allowing said robot to avoid said object (see page 642, cols. 1-2, section 1)). With respect to claim 3, a method for deriving a distance from an object to an electronic imager (see fig. 1) comprising the following steps in the order named: (a) establishing a field of view for said electronic imager (see abstract, the TV camera being taken as the imager (see fig. 1 as described above), (b) obtaining object location information in said field of view (see fig. 1), (c) deriving said distance from said object to said electronic imager by processing a population coded set of algorithms (see page 638, col. 2, first paragraph).

Allowable Subject Matter

5. Claims 2 and 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


The prior art of record fail to teach or fairly suggest with respect to claim 2, (b) processing a population coded velocity algorithm that recombines said spatial and temporal frequency components corresponding to said object and provides a velocity output, thereby identifying how said object is moving in said field of view, (c) and (e) processing a population coded navigation algorithm where said strategic control vector, said tactical control vector, and said turning information output are used to derive said population coded control signal. With respect to claim 4, (b) processing a population coded velocity algorithm that recombines said spatial and temporal frequency components corresponding to said object and provides a velocity output, thereby

identifying how said object is moving in said field of view, in combination with the other elements of the claimed invention.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to McDieunel Marc whose telephone number is (571) 272-6964. The examiner can normally be reached on 6:30-5:00 Mon-Thu.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


McDieunel Marc

Tuesday, October 04, 2005

MM/